

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

In re BAYCOL PRODUCTS LITIGATION :  
: MDL No. 1431  
: (MJD)  
This Document Relates to: :  
:  
*All Actions* :  
:

**BAYER AND GSK'S NOTICE OF MOTION AND MOTION TO EXCLUDE  
EXPERT TESTIMONY BASED ON ADVERSE EVENT REPORTS**

Defendants Bayer Corporation, Bayer AG, and SmithKline Beecham Corporation, d/b/a GlaxoSmithKline ("GSK") (collectively, "defendants") submit this motion to exclude expert testimony based upon adverse event reports. This motion is supported by the attached Memorandum and documents.

Dated: April 17, 2006

Respectfully submitted,

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**LR 7.1(c) WORD COUNT COMPLIANCE CERTIFICATE REGARDING  
DEFENDANTS' MEMORANDUM IN SUPPORT OF THEIR MOTION TO  
EXCLUDE EXPERT TESTIMONY BASED ON ADVERSE EVENT REPORTS**

I, Susan A. Weber, certify that Defendants' Memorandum in Support of Their Motion to Exclude Expert Testimony Based on Adverse Event Reports complies with Local Rule 7.1(c).

I further certify that, in preparation of this memorandum, I used Microsoft Office Word 2003, and that this word processing program has been applied specifically to include all text, including headings, footnotes, and quotations in the following word count.

I further certify that the above referenced memorandum contains 4,657 words.

Dated: April 17, 2006

  
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One of the Attorneys for Bayer Corporation and Bayer AG

CERTIFICATE OF SERVICE

I, David L. Barlett, certify that a true and correct copy of the foregoing Bayer and GSK's Motion to Exclude Expert Testimony Based on Adverse Event Reports, supporting memorandum, proposed order, and exhibits were electronically filed and served on April 17, 2006.



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